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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,824	03/09/2004	Wei Wang	AM-6535.D1	2457

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EXAMINER

MCDONALD, RODNEY GLENN

ART UNIT	PAPER NUMBER
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1753

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/796,824

Applicant(s)

WANG, WEI

Examiner

Rodney G. McDonald

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-12 and 14-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5, 6, 8, 10, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fai Lai (U.S. Pat. 6,217,716) in view of Wegmann (U.S. Pat. 4,622,121) or Scherer (U.S. Pat. 5,728,280) or Okamura et al. (Japan 01-309964) and further in view of Gopalraja et al. (EP 1119017).

Fai Lai '716 teach a vault shaped sputtering target as seen in Fig. 10. Fai Lai '716 teach a principal target in the form of a hollow cathode 132 for sputtering that has a sidewall and roof shaped like a vault. A magnetic means 129 surrounds the sidewall of the cathode. A rotating magnet 126 is positioned on the back side of the roof and is rotatable about the central axis. The magnet polarity of magnet 129 extends along the central axis. (Fig. 10; Column 8 lines 30-49) The cathode can sputter target material on substrates. (Column 1 line 30)

The differences between Fai Lai '716 and the present claims is that the magnetic means positioned outside the cylindrically shaped sidewall and extending around the central axis but not extending above a plane extending perpendicular to the central axis at a back of the roof is not discussed, a magnetic means positioned outside of the cylindrically shaped sidewall providing a magnetic field of a first magnetic polarity inside

the sidewall extending along the central axis and a magnetron having a first magnetic assembly of a second magnetic polarity along the central axis opposite the first magnetic polarity and a second magnetic assembly surrounding the first magnet assembly having the first magnetic polarity is not discussed, the vacuum chamber is not discussed and the pedestal for supporting a substrate in the vacuum chamber is not discussed.

Regarding the magnetic means positioned outside the cylindrically shaped sidewall and extending around the central axis but not extending above a plane extending perpendicular to the central axis at a back of the roof, Wegmann et al. teach in Fig. 1 a magnetic means not extending above a roof of the target. (See Fig. 1) Scherer teach a magnetic means 12 not extending above a roof of the target. (See Abstract; Figure) Okamura et al. teach in Figure 1 a magnetic means not extending above a roof of the target. (See Figure 1)

The motivation for providing a magnetic means not extending above a roof of the target is that it allows for improving step coating (Wegmann et al. Column 2 lines 43-46), permit low energy deposition (Scherer Column 1 lines 39-40) and form a film with uniform characteristics. (See Okamura et al. Abstract)

Gopalraja et al. teach in Fig. 13 a scanning magnetron on the roof of a target having a first magnet 240 with a first magnetic polarity along the central axis and a second magnet 238 surrounding the first magnet and having a second magnetic polarity. The magnet 222 surrounding the sidewall has the second magnetic polarity.

(See Fig. 13; Column 19 lines 4-9, lines 26-32) The cathode can be in a sputter reactor 10 with a wafer clamped to a pedestal electrode 54. (Column 11 line 32, line 40-43)

The motivation for selecting the magnets to be a particular order is that it allows for achieving a desired erosion pattern. (Column 19 lines 20-22)

The motivation for utilizing a sputter reactor and pedestal is that it allows for sputtering on the wafer for via filling. (Column 1 lines 5-7)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Fai Lai '716 by utilizing magnet means not extending above a roof of the target as taught by Wegmann et al. or Scherer or Okamura et al. and to have utilized the magnet arrangement with a vacuum chamber having a pedestal as taught by Golpalraja et al. because it allows for improving step coating, permitting low energy deposition, forming a film with uniform characteristics, achieving a desired erosion pattern and for sputtering on a wafer for via filling.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fai Lai '716 in view of Wegmann or Scherer or Okamura et al. and further in view of Gopalraja et al. as applied to claim 1 above, and further in view of Haag et al. (U.S. Pat. 6,337,001), Glocker et al. (U.S. Pat. 5,069,770) and Kumar (U.S. Pat. 5,178,743).

The differences not yet discussed is that utilizing a plate comprising the material and closing a throat of the vault opposite the roof is not discussed.

Haag et al. teach in Figure 8 annular plates with a partially closed throat. (See Figure 8) In Fig. 2 the plates 8a close a throat of a target. (See Fig. 2) Figure 5 shows the target can be annular. (See Figure 5; Column 5 line 2)

The motivation for utilizing a closed throat is that it increase plasma density within the hollow target. (Column 3 lines 2-3)

Glocker teach a sputtering process which employs a target which defines a hollow sputtering chamber having a relatively small orifice or slit through which particles, sputtered from the chamber-defining interior surfaces of the target, can exit the chamber and deposit on a workpiece or substrate disposed externally of the chamber and facing the orifice. (See Abstract)

A preferred enclosed target is in the form of a hollow cylinder with a circular hole in one end. The outside diameter of the cylinder is 7.4 cm, and the height is 4 cm. The inside diameter of the sputtering chamber is 4.6 cm and the height of such chamber is 2 cm. The hole has a diameter of about 1 cm. (Column 3 lines 1-6)

The motivation for utilizing a closed throat is that it confines the plasma. (Column 2 line 55)

Kumar teach a cathode 4 comprises a container element 30, top 32 and means 34 for connecting the top 32 to container element 30. This latter means is shown as a plurality of screws 34 driven through an equal number of holes through the top 32 into corresponding tapped holes in the container element 30. Of course other means for connecting top 32 to container element 30 may be employed. For example, top 32 and container element 30 may be provided with engaging threads or interlocking slots and notches. It is within the scope of the present invention to employ any conventional connecting means to connect top 32 to container element 30. (Column 5 lines 23-34)

The top 32, which needs to be only slightly large than the major opening of the container element 30, has a diameter in the actually constructed embodiment which is about equal to the outer cylindrical diameter of container element 30, that is, two and one-half inches. The top 32 is about one eighth inch thick, as is the bottom portion 38 of the container element 30. The top 32, like the container element 30, also has a central axial hole 39 extending therethrough within is about one half inch in diameter. The top 32 and the container element 30 were formed of copper by conventional techniques. (Column 5 lines 55-68; Column 6 lines 1-6)

The motivation utilizing an attached plate to close the throat is that it allows for confinement of plasma and easier of removal of the cathode 30 for replacement. (See Figure 3)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a closed throat of a sputtering target and closing the throat by an attachable plate as taught by the combination of Haag et al., Glocker et al. and Kumar because it allows for confining the plasma.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fai Lai '716 in view of Wegmann or Scherer or Okamura et al. and further in view of Gopalraja et al. as applied to claims 1 and 8 above, and further in view of Glocker et al. (U.S. Pat. 5,069,770).

The difference not yet discussed is where the magnetic means do not extend beyond a front sputtering surface of the roof.

Glocker et al. teach a magnetic means 20 not extending beyond a front face of the target. (Column 2 lines 42-45; Fig. 1)

The motivation for utilizing a magnetic means that does not extend beyond the front face surface of the target is that it allows for decreasing the number of high energy electrons escaping from the sputtering chamber during sputtering. (Column 1 lines 50-55)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a magnetic means that does not extend beyond the front surface of the target as taught by Glocker et al. because it allows for decreasing the number of high energy electrons escaping from the sputtering chamber during sputtering.

Claims 11 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai et al. '105 in view of Wegmann or Scherer or Okamura et al. and further in view of Gopalraja et al. as applied to claims 1, 8, 12 and 14 above, and further in view of Haag et al. (U.S. Pat. 6,337,001).

The difference not yet discussed is the use of an anode between the target and the substrate.

Haag et al. suggest an anode 8a in Fig. 2 that is positioned between the target and the substrate. (i.e. see Fig. 9 for positional relationship of the target and the substrate). The anode is bias able to control particle energy. (See Fig. 2; Column 4 lines 16-27)

The motivation for utilizing an anode is that it allows for control of particles. (See Column 4 lines 16-27)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized an anode as taught by Haag et al. because it allows control of particles.

Response to Arguments

Applicant's arguments filed 7-3-06 have been fully considered but they are not persuasive.

In response to the argument that Gopalraja's configuration of targets is completely different than that being claimed and would not be combinable with the references, it is argued that the primary reference suggest a cylindrical target with sidewalls. Gopalraja was relied upon to suggest the magnet configurations applicable to a cylindrical target. Specifically Gopalraja's target is viewed as a cylinder although the roof is not a continuous planar circle that connects the sidewalls. (See Lai '706 and Gopalraja discussed above)

In response to the argument that Gopalraja does not teach guidance for choosing the polarities of the sidewall magnets and the roof magnetron, it is argued that Gopalraja teach in Fig. 13 an outer sidewall magnet 222 and roof magnetron. The polarity of sidewall magnet 222 is parallel in magnetic orientation to magnet 240 of the roof magnetron. A magnet 238 opposite in orientation surrounds the magnet 240 of the roof magnetron. This is the magnetic arrangement Applicant requires in their claims. (See Gopalraja discussed above)

In response to the argument that the cited references do not disclose a roof magnetron, it is argued that Lai '706 suggest a roof magnetron and that Gopalraja teach a roof magnetron as well. (See Lai '706 and Gopalraja discussed above)

In response to the argument that the cited references are silent on the relative polarities between the roof magnetron and the sidewall magnet, it is argued as discussed above that Gopalraja teach the polarities in Fig 13. (See Gopalraja discussed above)

In response to the argument that the cited references teach parallel rather than anti-parallel orientation for the roof magnetron and sidewall magnet, it is argued as discussed above that Gopalraja suggest the required orientations of the magnets. (See Gopalraja discussed above)

In response to the argument that Haag does not teach a partially closed cylindrical throat, it is argued that Haag et al. teach in Fig. 8 annular plates which partially close the throat. (See Haag et al. discussed above)

In response to the argument that Glocker's emission cell is not applicable to a sputter reactor, it is argued that Glocker state that the apparatus can be used in a sputter target and therefore is applicable for a sputter reactor. (See Glocker discussed above)

In response to the argument that Kumar's reference cannot be combined with references utilizing stationary substrates, it is argued that Kumar can be utilized since it is directed to sputter processes. (See Kumar discussed above)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

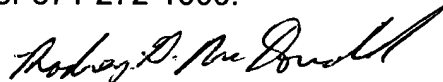
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1753

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rodney G. McDonald
Primary Examiner
Art Unit 1753

RM
September 11, 2006